

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claims 1-29 (canceled)

1           **Claim 30 (currently amended):**   ~~The method of claim~~  
2           ~~29, further comprising the step of~~  
3           A picture coding method including the steps of:  
4                 5                 frame rate that is not known in advance;  
6                 determining the input frame rate of the inputted  
7                 moving picture data;  
8                 providing a target value for a buffer storage  
9                 amount;  
10                determining a buffer remaining amount of the coded  
11                picture data stored in a buffer and not yet outputted by  
12                the apparatus;  
13                calculating a correction amount based on a  
14                difference of said target value and said buffer remaining  
15                amount; and  
16                calculating a target code amount for use in said  
17                coding step by adding said correction amount to said  
18                reference target code amount, wherein said target code  
19                amount is based on said input frame rate;

20           providing a reference coding frame rate based upon  
21           said input frame rate;  
22           calculating a reference target code amount using  
23           said reference coding frame rate, wherein said target  
24           code amount is determined based upon the reference target  
25           code amount; and  
26           updating said reference coding frame rate, wherein  
27           said reference coding frame rate is determined based  
28           upon an average value of said measured frame rates within  
29           a time interval, and wherein, when the reference coding  
30           frame rate before being updated is larger than the  
31           reference coding frame rate after being updated, a value  
32           between said reference coding frame rate before being  
33           updated and said reference coding frame rate after being  
34           updated is used as an updated reference coding frame  
35           rate.

**Claims 31-34 (canceled).**

1           **Claim 35 (currently amended):** ~~The method of claim~~  
2           ~~34, further comprising the step of~~  
3           A picture coding method including the steps of:  
4           inputting moving picture data having an arbitrary  
5           frame rate that is not known in advance;

6           determining the input frame rate of the inputted  
7           moving picture data;  
8           providing a reference coding frame rate;  
9           determining a reference target code amount using  
10          said reference coding frame rate;  
11          providing a target value for a buffer storage  
12          amount;  
13          determining a buffer remaining amount of the coded  
14          picture data stored in a buffer and not yet outputted by  
15          the apparatus;  
16          calculating a correction amount based on a  
17          difference of said predetermined target value and said  
18          buffer remaining amount;  
19          calculating a target code amount for use in said  
20          coding step by adding said correction amount to said  
21          reference target code amount; and  
22          updating said reference coding frame rate, wherein,  
23          said reference coding frame rate is determined based  
24          upon an average value of said measured frame rates within  
25          a time interval, and wherein, when the reference coding  
26          frame rate before being updated is larger than the  
27          reference coding frame rate after being updated, a value  
28          between said reference coding frame rate before being  
29          updated and said reference coding frame rate after being

30 updated is used as an updated reference coding frame  
31 rate.

**Claims 36-39 (canceled).**

1           **Claim 40 (currently amended):** ~~The method of claim~~  
2 ~~39, further comprising the step of~~  
3 A picture coding method including the steps of:  
4           inputting moving picture data having an arbitrary  
5 frame rate;  
6           coding said moving picture data into coded picture  
7 data for storage in a buffer prior to outputting said  
8 coded picture data;  
9           determining the input frame rate of the inputted  
10 moving picture data;  
11           determining a reference coding frame rate using said  
12 input frame rate;  
13           calculating a reference target code amount using  
14 said reference coding frame rate;  
15           determining a target value for a buffer storage  
16 amount using said reference coding frame rate;  
17           determining a buffer remaining amount of the coded  
18 picture data stored in the buffer and not yet outputted  
19 by the apparatus;

20           calculating a correction amount based on a  
21           difference of said predetermined target value and said  
22           buffer remaining amount; and  
23           calculating a target code amount for use in said  
24           coding step by adding said correction amount to said  
25           reference target code amount, wherein  
26           the code amount of the outputted coded picture data  
27           is approximated to said target code amount in said coding  
28           step; and  
29           updating said reference coding frame rate, wherein  
30           said reference coding frame rate is determined based  
31           upon an average value of said measured frame rates within  
32           a time interval, and wherein, when the reference coding  
33           frame rate before being updated is larger than the  
34           reference coding frame rate after being updated, a value  
35           between said reference coding frame rate before being  
36           updated and said reference coding frame rate after being  
37           updated is used as an updated reference coding frame  
38           rate.

1           **Claims 41-44 (canceled).**

1           **Claim 45 (currently amended):**   ~~The method of claim~~  
2           ~~44, further comprising the step of~~  
3           A picture coding method including the steps of:  
4                 determining a reference coding frame rate using the  
5                 input frame rate of inputted moving picture data;  
6                 calculating a reference target code amount using  
7                 said reference coding frame rate;  
8                 determining a target value for a buffer storage  
9                 amount using said reference coding frame rate;  
10                determining a buffer remaining amount of the coded  
11                picture data stored in a buffer and not yet outputted by  
12                the apparatus;  
13                calculating a correction amount based on a  
14                difference of said predetermined target value and said  
15                buffer remaining amount; and  
16                calculating a target code amount for use in said  
17                coding step by adding said correction amount to said  
18                reference target code amount; and  
19                updating said reference coding frame rate, wherein,  
20                said reference coding frame rate is determined based  
21                upon an average value of said measured frame rates within  
22                a time interval, and wherein, when the reference coding  
23                frame rate before being updated is larger than the  
24                reference coding frame rate after being updated, a value  
25                between said reference coding frame rate before being

26        updated and said reference coding frame rate after being  
27        updated is used as the updated reference coding frame  
28        rate.